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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,215	06/21/2001	Chad A. Stevens	10010428-1	8409

7590 06/04/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HUFFMAN, JULIAN D

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application

09/888,215

Applicant(s)

STEVENS, CHAD A.

Examiner

Julian D. Huffman

Art Unit

2853

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet


JUDY NGUYEN
PRIMARY EXAMINER

Continuation of 2. NOTE: The proposed amendments to claims 10, 16 and 25, changes the scope of these claims and requires further search and consideration..

Continuation of 10. Other: Applicant's argument that the combination of Floegel and Chamberlain does not increase the strength of attraction or adhesion when mounting the medium is not found persuasive. Chamberlain teaches that the medium inherently carries an electric charge (column 1, lines 24-25) and that the electrical effect is increased by rubbing the medium with a soft material such as silk or wool. It is the teachings of the prior art which determine the level of ordinary skill in the art, not applicant's statement which has no supporting evidence. Further Chamberlain's statement is not merely a hypothesis, but rather Chamberlain states that "I have found also that the strength of the attraction or adhesion can be increased by rubbing the element or elements, after they are in place, with a soft material such as silk or wool", which suggests that this was discovered and proven through experimentation. The prior art teaches that an object which inherently has an electric charge can have its charge increased when by rubbing it with a charge donor such as wool. What Chamberlain is teaching is that the inherent electric charge on the object provides a force of electrical attraction, but by rubbing the object with a charge donor, additional charges can be transferred to the object to increase the force of electrical attraction. This is not contrary to the basic principles of electrostatics. Applicant's statement that the medium of Longtin is not for use in an ink jet printer is not persuasive. The medium is capable of use in an ink jet printer. Further the recitation is provided in the preamble and is given no patentable weight.